

Public Chapter 352

HOUSE BILL NO. 1162

By Representatives Davidson, Winningham

Substituted for: Senate Bill No. 1282

By Senator Womack

AN ACT to amend Tennessee Code Annotated, Section 49-7-120, regarding confidentiality of research records and materials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-7-120, is amended by adding a new subsection (f), new subsection (g), and new subsection (h) as follows:

(f) Proprietary information including computer programs and software and other types of information manufactured or marketed by persons under exclusive legal right and licensed to Tennessee State boards, agencies, or higher education institutions shall not be open to public inspection; provided, however, computer programs and software and other types of information produced by State or higher education employees at State expense shall be available for inspection as part of an audit or legislative review process.

(g) Public body may keep confidential any information related to research with the exception of data from human subject research, the disclosure of which could affect the conduct or outcome of the research, the ability to patent or copyright the research, or any other proprietary rights any entity might have in the research or the results of the research; including, but not limited to, trade secrets and commercial or financial information obtained from an entity financing or cooperating in the research, research protocols, and research notes, data, results or other unpublished writing about the research.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.